

02/10/98
JCS73 U.S. PTO

REQUEST FORM AND FORMALITIES PRELIMINARY AMENDMENT FOR
FILING A PATENT APPLICATION UNDER 37 C.F.R. 1.53(b)

Submit an original and a duplicate for fee processing

A

THIS APPLICATION:

DOCKET NUMBER

P58841US1

FILING DATE

HEREWITH

PRIOR APPLICATION:

EXAMINER

H. Bakalyar

ART UNIT

1818

Address to:

Assistant Commissioner of Patents
Box Patent Application
Washington, D.C. 20231

This is a request for filing a [] continuation or [X] divisional application under 37 C.F.R. 1.53(b) of prior application Serial No. 08/491,888 filed on July 18, 1995, entitled A METHOD AND A DEVICE FOR THE EVALUATION OF BIOPOLYMER FITNESS by the following inventor(s): Rudolf RIGLER, Manfred EIGEN, Ulo METS, Jerker WIDENGREN, Michael STUKE, Michael BRINKMEYER, Wolfgang SIMM, and Olaf LEHMANN.

Enclosed is a copy of the prior application, serial number 08/491,888, filed July 18, 1995, including the declaration as originally filed.

1. [X] A Preliminary Amendment is enclosed.
2. [X] Cancel claim(s) 1-84 for purposes of lessening filing fees.

The filing fee is calculated on the basis of the claims existing in the prior application as amended by 1 and/or 2 above.

CLAIMS

Basic Fee		\$395	\$790
Total Claims	34 - 20 =	x 11 = \$	14 x 22 = \$308.00
Ind. Claims	1 - 3 =	x 41 = \$	x 82 = \$
[] Multiple Dependent Claims		+135 = \$	+ 270 = \$
		Total \$	Total \$1098.00

3. [X] The Commissioner is hereby authorized to charge fees under 37 C.F.R. 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.

4. [] This application is filed under Rule 53(f) and therefore the [] Filing Fee [] Declaration is not enclosed.

5. [X] A check in the amount of \$ 1098.00 is enclosed.

6. [X] Amend the specification by inserting before the first line the sentence:

2.61 *ai* This is a division of application Serial No. 08/491,888, filed July 18, 1995.

[] which in turn is

7. [] A verified statement claiming small entity status under 37 CFR 1.9 and 1.27:

a) [] was claimed by way of a declaration filed in prior application Serial No. _____.

b) [] is claimed by way of the attached declaration.

8. [X] Priority of application Serial Nos. German P4301005.9; PCT/EP93/01291; and German P4342703.0, filed on January 18, 1993; May 22, 1993; and December 15, 1993, respectively, is claimed under 35 U.S.C. 119.

a) [X] Certified copy is on file in prior application, PCT/EP/01291, filed May 22, 1993.

b) [] Certified copy filed herewith.

9. [] The prior application is assigned of record to _____.

10. [X] The Power of Attorney in the prior application is to at least one of the following:

William E. Player, 31,409; John Clarke Holman, 22,769; Harvey B. Jacobson, Jr., 20,851; D. Douglas Price, 24,514; Marvin R. Stern, 20,640; Michael R. Slobasky, 26,421; Jonathan L. Scherer, 29,851; and Irwin M. Aisenberg, 19,007.

a) [X] The power appears in the original papers of the prior application.

b) [] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

11. [] Petition to extend the life of the above prior application to at least the date hereof

(One box) [] is being concurrently filed in
NOTE: (must be) that prior application.
(X'd) [] was previously filed in that application.
[X] is not necessary.

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860120.0112060

If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358.

12. ☐ New formal drawings are enclosed.
13. ☒ Enclosed is a copy of the Information Disclosure Statement (IDS) and PTO 1449 which was filed in Serial No. 08/491,888, filed July 18, 1995, which is relied on for an earlier filing date under 35 U.S.C. 120.
- a) ☐ More than one IDS was filed in the above Serial No. and copies of each IDS, less the documents, are enclosed.
14. ☐ Enclosed is a copy of the PTO 892 which issued in Serial No. _____, filed _____ which is relied on for an earlier filing date under 35 U.S.C. 120.
- a) ☐ More than one PTO 892 issued in the above Serial No. _____ and copies of each PTO 892, less the documents, are enclosed.
15. ☐ Also enclosed is:

Address all future correspondence to:

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The Jenifer Building
400 Seventh Street, NW
Washington, D.C. 20004-2201
Telephone 202/638-6666
Customer No. 000136

Respectfully submitted,

By William E. Player
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